



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

DEC 04 2009

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No.: 7006 2760 0000 8651 1843

Mr. Mark Lob
President
Waste Water Systems, LLC
640 63rd Avenue SW
Cedar Rapids, Iowa 52404

Re: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for
the Waste Water Systems, LLC, Cedar Rapids, Iowa

Dear Mr. Lob:

This letter serves to inform you that the U.S. Environmental Protection Agency (EPA) has made an affirmative determination of acceptability for the receipt of off-site waste at Waste Water Systems, LLC in Cedar Rapids, Iowa (WWS). Pursuant to Title 40 Code of Federal Regulations (40 CFR) Section 300.440(a)(4), EPA has completed an initial assessment of WWS, and finds the facility acceptable for the receipt of off-site waste. Such off-site wastes are defined as wastes generated as a result of activities authorized or funded by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

On September 22, 1993, EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No. 9834.11), known as the Off-Site Policy. The Off-Site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard. The Off-Site Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA shall determine if there are relevant releases or relevant violations at the facility.

EPA corresponded with the Iowa Department of Natural Resources (IDNR) and the City of Cedar Rapids to determine WWS's compliance with Resources Conservation and Recovery Act (RCRA) and other applicable environmental standards. The results of the correspondence indicate that WWS is currently in compliance with RCRA and other

applicable environmental standards. Therefore, effective upon receipt of this letter, WWS is acceptable to receive CERCLA off-site waste at the facility described above. Should any new information affecting this determination develop, EPA reserves the right to revisit this decision.

By issuing this notice, EPA is in no way authorizing WWS to undertake any waste management practice at this facility for which WWS has not been previously authorized by EPA or IDNR.

If you have any questions concerning this matter, please contact Deborah Bredehoft, Regional Off-Site Contact, Region 7, at (913) 551-7164.

Sincerely,



Donald Toensing
Branch Chief

RCRA Enforcement and State Programs Branch

cc: Mr. Cal Lundberg, Chief
Contaminated Sites Section
Iowa Department
of Natural Resources